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**From:** Waye, Don  
**To:** allison.castellan@noaa.gov  
**Sent:** 12/16/2014 2:17:15 PM  
**Subject:** FW: following up on Dennis M. request

fyi

**From:** Waye, Don  
**Sent:** Tuesday, December 16, 2014 2:13 PM  
**To:** Byrne, Jennifer; Sweeney, Stephen  
**Cc:** Carlin, Jayne; Wu, Jennifer  
**Subject:** RE: following up on Dennis M. request

See the 3<sup>rd</sup> bullet under "Policy Memos" on NOAA's Coastal Nonpoint Program page:  
<http://coast.noaa.gov/czm/pollutioncontrol/>

Here's a direct link to the memo:  
<http://coast.noaa.gov/czm/pollutioncontrol/media/epmmemo.pdf>

By the way, I'm on a conference call right now with the Technical Team for Oregon CZARA and we are discussing this very point. Allison reminded us that Oregon has not delivered Part 1 of the 3-part EP&M test – the legal opinion, at least as it applies to Forestry and Agriculture. (We have accepted Oregon's legal opinion with regard to all the other NPS categories (urban, marinas, hydromod, etc.)

Hope this helps!

**From:** Byrne, Jennifer  
**Sent:** Tuesday, December 16, 2014 1:26 PM  
**To:** Sweeney, Stephen; Waye, Don  
**Cc:** Carlin, Jayne  
**Subject:** following up on Dennis M. request

## Ex. 5 - Attorney Client

Many thanks,

Jennifer Byrne  
Office of Regional Counsel, EPA Region 10  
206-553-0050, [byrne.jennifer@epa.gov](mailto:byrne.jennifer@epa.gov)